

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being forwarded via facsimile transmission to Fax No. (571) 273-8300 to the attention of Examiner Michael H. Thaler, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on the date indicated below.

30 January 2006  
Date

Shirley Green

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Gary Haberland, *et al.*

Serial No.: 09/580,721

Filed: May 20, 2000

For: *Trocar Having Planar Fixed Septum  
Seal And Related Methods*

Confirmation No.: 1216

Examiner: Michael H. Thaler

Group Art Unit: 3731

Attorney Docket No.: 032528.000007

RECEIVED  
CENTRAL FAX CENTER  
JAN 30 2006

AMENDMENT AND RESPONSE TO  
OFFICE ACTION DATED JULY 28, 2003

Commissioner for Patents  
P.O. Box 1415  
Alexandria, VA 22313-1450

Sir:

In response to the Official Action dated July 28, 2005, please enter the following amendments to the claims, and remarks as follows. The Commissioner is hereby authorized to charge or credit any fees to Bracewell & Giuliani LLP's, Deposit Account No. 50-0259 (Order No.: 032528.000007)